

**OPINION
46-193**

December 9, 1946 (OPINION)

OFFICERS

RE: Bond of Deputy County Treasurer - Premium Paid by County

This is in reply to your letter of December 6, 1946, addressed to the attorney general, in which you inquire whether a county treasurer must personally pay for the official bond of his deputy.

I wish to refer you to sections 26-2305 and 26-2308 of the 1943 Revised Code, which should be read together. Section 26-2305 provides that before any public employee shall assume his duties, the state auditor, county auditor, city auditor, village clerk, township clerk, or school district clerk, as the case may be, shall report to the commissioner in such manner and form as the commissioner shall prescribe, the election or appointment of such public employee, and the amount of the bond required of him, and shall remit with such report by check, draft, or express or postal money order the premium required. When such report is made, the particular employee or officer is automatically insured as provided by section 26-2308. You will note that the statutes refer to every public employee and section 26-2305 includes both the election and appointment of the public employee.

Since a deputy county treasurer is a public employee, it is the opinion of this office, therefore, that when sections 26-2305 and 26-2308 are compiled with the deputy is properly bonded and the premium should be paid by the county.

NELS G. JOHNSON

Attorney General